

Message Text

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PAGE 01 BRASIL 08679 031322Z

42

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TAGS: PINT, SHUM, BR

SUBJECT: HUMAN RIGHTS DEBATE IN SENATE

REF: BRASILIA 8544

SUMMARY: IN FURTHER INSTANCE OF INCREASINGLY PUBLIC TREATMENT BEING GIVEN HUMAN RIHTS ISSUES, LONG SENATE DEBATE SEPTEMBER 30 INCLUDED ALLUSIONS TO SUCH PAST AND CONTINUING ABUSES AS ILLEGAL ARREST AND TORTURE, AND REPEATED APPEALS TO GOVERNMENT AND SPECIFICALLY TO GEISEL HIMSELF TO TAKE ACTION. ON BEHALF OF GOVERNMENT, SENATE MAJORITY LEADER VOWED ARRESTS WOULD BE CARRIED OUT LEGALLY AND REPORTED JUSTICE MINISTER HAD PROMISED CLARIFICATIONS ON CASE OF ALLEGED ILLEGAL ARRESTS IN GOIAS. END SUMMARY.

1. BRAZILIAN SENATE SEPTEMBER 30 WAS SCENE OF LIVELY, INTENSE, THREE-HOUR DEBATE ON HUMAN RIGHTS, DURING WHICH NEW ABUSES WERE ANNOUNCED, ADMISSIONS OF PAST ABUSES WERE CITED, AND PRESIDENT GEISEL WAS REPEATEDLY CALLED UPON BY NAME TO TAKE CORRECTIVE ACTION. DEBATE WAS EXTENSIVELY REPORTED IN PRESS.

2. HELPING TO KICK OFF DEBATE WAS READING BY SENATOR LAZARO BARBOSA (MDB-GOIAS) OF COMMUNICATION FROM GOIAS SECTION OF ORDER OF BRAZILIAN LAWYERS DENOUNCING RECENT "INCOMMUNICADO"

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PAGE 02 BRASIL 08679 031322Z

ARRESTS OF LAWYERS THERE. BARBOSA CALLED ON JUSTICE MINISTER

AND SENATE MAJORITY LEADER TO TAKE APPROPRIATE MEASURES. SENATOR FRANCO MONTORO (MDB-SAO PAULO) FOLLOWED UP WITH SIMILAR CALL REGARDING DEATH OF 62-YEAR OLD MAN WHILE IN CUSTODY OF AUTHORITIES IN FORTALEZA (CEARA).

3. MDB VICE PRESIDENT, PAULO BROSSARD, CONDEMNED IA-5 AND DISMISSED ARGUMENT THAT INADEQUATE JUDICIAL MACHINERY JUSTIFIES ITS CONTINUED USE, AND DECRIED "DAILY" OCCURENCES OF ILLEGAL ARREST AND MISTREATMENT. BROSSARD CITED PAST REMARKS OF ARENA SENATOR JARBAS PASSARINHO, FORMER SUPREME COURT JUSTICE ALIOMAR BALEEIRO, AND SUPREME MILITARY COURT JUSTICE AUGUSTO FRAGOSO REGARDING EXISTENCE OF ABUSES, AND DECLARED THAT NO ONE CAN DENY THAT "THERE WERE ARBITRARY ARRESTS, THAT THERE WAS TORTURE, DISAPPEARANCES BY WAY OF ELIMINATION, AND EVEN OBSTRUCTION OF THE ACTION OF MILITARY JUSTICE ITSELF". FOLLOWING THROUGH, SATURNINO BRAGA (MDB-RIO DE JANEIRO) ASKED PRESIDENT GEISEL IF THESE ABUSES CAN CONTINUE TO OCCUR, CALLED FOR FULL ADHERENCE TO THE LAW, AND SAID HE WAS UNAWARE THAT ANYONE HAD EVER BEEN HELD RESPONSIBLE FOR ABUSES. ARENA'S JARBAS PASSARINHO REBUTTED LAST POINT WITH RECENT EXAMPLE OF LENGTHY JAIL SENTENCES GIVEN ARMY OFFICERS INVOLVED IN DEATH OF SOLDIER. BROSSARD THEN REPEATED APPEAL TO GEISEL, ASKING THAT HE ADDRESS THE NATION ON THE MATTER. ON BEHALF OF THE GOVERNMENT, MAJORITY LEADER PETRONIO PORTELLA THEN REVIEWED BASIS OF GEISEL'S EXPLANATION ABOUT IA-5 AND ITS UTILITY (SEE BRASILIA8350) AND REITERATED GOVERNMENT'S "INVARIABLE DETERMINATION NOT TO ALLOW ILLEGAL ARRESTS, AND RELIGIOUSLY TO FULFILL THE LAW, MAKING THE DUE COMMUNICATIONS TO THE JUDICIAL BRANCH SO THAT IT CAN CARRY OUT ITS OVERSEEING WORK." PORTELLA ALSO SAID THAT THEE HAD INDEED BEEN ARRESTS IN GOIAS, AND THAT THERE WOULD BE AS MANY OTHERS AS NECESSARY FOR THE INVESTIGATIONS, BUT ALL CARRIED OUT LEGALLY. HE ADDED THAT HE HAD ALREADY DISCUSSED WITH THE JUSTICE MINISTER THE ALLEGATION THAT ONE GOIAS LAWYER HAD BEEN ARRESTED MERELY FOR PROTESTING THE ARREST OF ANOTHER, AND THE MINISTER HAD PROMISED A REPORT.

4. COMMENT: THIS IS, OF COURSE, NOT THE FIRST TIME THAT CONGRESSIONAL DEBATES ON HUMAN RIGHTS HAVE BEEN REPORTED EXTENSIVELY IN THE PRESS, BUT WE JUDGE SOME OF THE REMARKS, ESPECIALLY THE REPEATED CALLS TO GEISEL HIMSELF, TO BE A BIT LIMITED OFFICIAL USE

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PAGE 03 BRASIL 08679 031322Z

CLOSER TO THE BONE THAN IS TYPICAL. NEVERTHELESS, PORTELLA WAS QUOTED AFTERWARDS AS CALLING THE DEBATE ONE "WITHOUT VERBAL UPROAR, AS SUITS A DEMOCRACY", AND OTHER COMMENT ALSO REFLECTED THE IDEA THAT A SENSITIVE SUBJECT HAD BEEN SUCCESSFULLY HANDLED. THE DEBATE IS A FURTHER INSTANCE OF THE INCREASINGLY PUBLIC TREATMENT GIVEN TO HUMAN RIGHTS ISSUES (REFTEL PARA 5). NOTE: WE ARE STILL CHECKING INTO PASSARINHO'S REFERENCE (PARA 3 ABOVE).

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